

In re: : Case No.: 19-20959-GLT  
: Chapter: 13  
Glen H. Green :  
Esther L. Green :  
Debtor(s). : Date: 7/21/2021  
: Time: 10:30

### PROCEEDING MEMO

**MATTER:** #71 - Continued Motion for Relief from Stay Filed by The Money Source, Inc.  
#74 - Response filed by Trustee  
#75 - Response filed by Debtors

**APPEARANCES:**

Debtor:	Daniel R. White
Trustee:	James Warmbrodt
Money:	Maria Miksich

**NOTES:** (10:58)

Miksich: Since the plan was amended and confirmed there have been no payments to the trustee and the plan is \$8,962 in arrears. We're owed more than \$16,000 in postpetition obligations.

White: The July payment was made in full, and was even a bit more than required. The June payment was not made because of unexpected car trouble and they were not aware they could make less than a full payment. They have started setting aside an amount to pay the August payment and they're getting ready to sell a property they're renting out.

Court: Some months they're making the full plan payment and some months they're not making anything. How will selling the house ensure that they will make the full payment for the other mortgage?

White: Debtor husband is scheduled to return to work and the debtor's adult daughter died and they were obligated to take on two grandchildren. The income has stabilized, and without that mortgage payment I'm confident they'll be able to pay the lower amount. There's about a \$150,000 equity cushion.

Court: Plan obligations have been modified multiple times and the arrears have been rolled into the higher plan payments. Continued absence of payments will negate the benefit of any equity.

Warmbrodt: We opposed based on the equity cushion. It's month 28 and we've received payments in only 12 months.

Court: I will give the debtors some time to sell that property, until the end of August. On or before August 31, enter into a sale agreement with the current renter or file an application to employ a broker. And then I expect there to be monthly payments going forward. Which property will they sell?

White: It's the 927 Newell Road property.

**OUTCOME:**

1. The Money Source, Inc.'s *Motion for Relief from Stay* [Dkt. No. 71] is CONTINUED to September 22, 2021 at 10:30 a.m. On or before August 31, 2021, the Debtors shall either: (a) enter into a sales agreement with the individual currently renting the property at 927 Newell Road; or (b) file an application to employ a real estate broker to sell the property at 927 Newell Road. [Text Order to Issue]

**DATED:** 7/21/2021